

RENTON CITY COUNCIL
Regular Meeting

April 19, 1999
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

KING PARKER, Council President; TIMOTHY SCHLITZER; RANDY CORMAN; TONI NELSON; BOB EDWARDS; KATHY KEOLKER-WHEELER; DAN CLAWSON.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LARRY WARREN, City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; SUSAN CARLSON, Economic Development Administrator; VICTORIA RUNKLE, Finance & Information Services Administrator; DON ERICKSON, Senior Planner; ABDOL GAFOR, Water Utility Supervisor; DEREK TODD, Finance Analyst; CHIEF A. LEE WHEELER, Fire Department; COMMANDER KATHLEEN MCCLINCY, Police Department.

PRESS

Elizabeth Parker, *Renton Reporter*

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY PARKER, SECONDED BY EDWARDS, COUNCIL APPROVE THE MINUTES OF APRIL 12, 1999 AS PRESENTED. CARRIED.

**ADMINISTRATIVE
REPORT**

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- ✱ The City's Housing Repair Assistance Program recently responded to three critical emergencies of families without water. The problems, caused by broken underground water lines between meters and the houses, were addressed in less than 24 hours.
- ✱ The U.S. Senior National Badminton Tournament was held at the Community Center on April 15th – 18th, with over 150 participants traveling from all over the country to compete.
- ✱ Renton's Fire Department is the first in the nation to use the newest breathing apparatus which allows firefighters to recharge the equipment of trapped or injured firefighters without compromising their respiratory protection.
- ✱ The Puget Sound Special Investigators Association has donated a special anti-auto theft system to Renton's Police Department. The system is installed in a "bait car" which, when entered, alerts officers to its exact whereabouts.

AUDIENCE COMMENT
Citizen Comment: Donnelly –
Issaquah School District
Impact Fees

Claudia Donnelly, 10415 - 147th Ave. SE, Renton, 98059, said her son and daughter both attend Apollo Elementary School in the Issaquah School District, which is overcrowded. She supported full school impact fees for Issaquah as she did not want her children to experience additional ill effects of overcrowded schools. Ms. Donnelly wondered how Renton could refuse to impose the full fee requested by Issaquah.

MOVED BY EDWARDS, SECONDED BY SCHLITZER, COUNCIL

SUSPEND ITS RULES AND ALLOW FOR THE READING OF THE FINANCE COMMITTEE REPORT ON THIS SUBJECT. CARRIED.

Finance Committee

Finance: Issaquah School District Impact Fees

Finance Committee Chair Edwards presented a report recommending that Council concur in the Administration's recommendation to impose school impact fees on new single-family residential development in the Renton portion of the Issaquah School District, and more specifically, that:

1. The City adopt an ordinance to collect a school impact fee on behalf of the Issaquah School District of \$2,797 for all new single-family dwelling units built within those portions of the District within Renton's municipal boundaries;
2. The City enter into an interlocal agreement with the Issaquah School District regarding collection of this fee; and
3. This school impact fee be reviewed in two years to consider whether to adjust it.

(See page 133 for further discussion relating to the committee report.)

Citizen Comment: Leavitt –
Issaquah School District
Impact Fees

Cindy Leavitt, 5303 NE 22nd Ct., Renton, 98059, said while her son attends Apollo Elementary, she believed that all children should be given due consideration no matter which city or school district they live in. She disagreed that the purchase price of the affected homes should have any bearing on the amount of the mitigation fee, because the schools are impacted by the number of children who attend them, not by the area's housing costs. She added that the City of Newcastle has consented to charge the full amount requested by the Issaquah School District.

Citizen Comment: Fletcher –
Issaquah School District
Impact Fees

Connie Fletcher, 18712 SE May Valley Way, Issaquah, spoke as president of the Issaquah School District Board, urging Renton to impose the full \$6,100 impact fee on new homes within the school district's boundary. Emphasizing that this number was calculated according to the actual cost of land acquisition and construction for new schools, she noted that since King County already charges this fee, any unincorporated land annexed to Renton will thus be developed under a reduced rate. She asked that any projects currently in the pipeline be grandfathered and charged the higher amount. Ms. Fletcher claimed that, at full development, Renton's potential annexation area could send up to 1,700 new students to the Issaquah School District.

Citizen Comment: Bernard –
Issaquah School District
Impact Fees

Mike Bernard, 565 NW Holly, Issaquah, also a board member of the Issaquah School District, noted his concurrence with the remarks expressed by Ms. Fletcher.

Citizen Comment: Dougherty –
Issaquah School District
Impact Fees

Donnell Dougherty, 14818 SE 113th St., Renton, 98059, spoke as a concerned parent of a student attending Apollo Elementary. She questioned what the City of Renton would do if the potential impact was not on the Issaquah School District, but rather on Renton's.

Citizen Comment: Irons –
Issaquah School District
Impact Fees

David Irons, 3414 - 260th Ct. SE, Issaquah, stated that mitigation fees are used to positively impact school capacity in the areas where they are collected. Emphasizing the importance of equity in this matter, he noted that Renton imposes fire and park mitigation fees on new construction which it does not base on the cost of the homes being built. He urged the City to consider the future cost of providing quality education, and base its decision accordingly.

Citizen Comment: Wilcott –

Everett Wilcott, 11830 - 164th Ave. SE, Renton, pointed out that Renton's

Issaquah School District
Impact Fees

School District's current levy costs homeowners \$3.95 per thousand of assessed valuation, while Issaquah's cost \$4.95. He explained this is because Issaquah has more students per assessed valuation than does Renton. He feared that if the full impact fee is not charged now, Issaquah will be forced to ask for an even higher charge later, depending on the number of new students and how many new schools will be required. For example, development in the Newcastle Highlands area has been grandfathered with a \$1,100 fee while all other new homes in Newcastle will be charged \$6,100.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

CAG: 99-038, Emergency Well
(EW-3) Drilling Project, Holt
Drilling

City Clerk reported bid opening on 4/12/99 for CAG-99-038, EW-3 Well Drilling project; two bids; engineer's estimate \$66,142.83; and submitted staff recommendation to award the contract to the low bidder, Holt Drilling, Inc., in the total amount of \$52,030.26. Council concur.

Annexation: Davis, Union Ave
NE & NE 26th St

Economic Development, Neighborhoods & Strategic Planning Department recommended a public hearing be set on 5/03/99 for the second and final public hearing on the proposed R-8 zoning for the Davis Annexation area; 3.8 acres located in the vicinity of 132nd Ave. SE (Union Ave. NE) and NE 26th Street. Council concur.

Annexation: Smith, Hoquiam
Ave NE & SE 113th St

Economic Development, Neighborhoods & Strategic Planning Department recommended a public hearing be set on 5/03/99 for the Smith Annexation's 60% Petition to Annex and proposed zoning; 12 acres located east of Hoquiam Ave. NE (142nd Ave. SE) and generally between SE 113th and 116th Streets. Council concur.

Lease: Sky Harbor Aviation
Lease Assignment to South
Cove Ventures, LAG-84-006

Transportation Division submitted a request from Sky Harbor Aviation that its lease be assigned to South Cove Ventures, a limited liability company (LAG-84-006). Refer to Transportation (Aviation) Committee.

Public Works: Thunder Hills
Sanitary Sewer Access Road,
Hammond Collier & Wade

Wastewater Utility Division recommended approval of a contract in the amount of \$61,918 with Hammond, Collier & Wade – Livingstone Associates, Inc. for topographic survey and base mapping on the Thunder Hills sanitary sewer access road repair project. Council concur.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

CORRESPONDENCE

Citizen Comment: Trammell
Crow Residential– Tamaron
Pointe Apts Appeal
(Withdrawal)

Correspondence was read from John Wayland, Trammell Crow Residential, 4010 Lake Washington Blvd. NE, Suite 330, Kirkland, 98033, stating that the company has withdrawn its pending appeal related to the Tamaron Pointe Apartments project at 2100 Lake Washington Blvd. (SA-98-123).

MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REMOVE THIS ITEM FROM THE PLANNING & DEVELOPMENT COMMITTEE'S REFERRAL LIST. CARRIED.

Citizen Comment: Centex
Homes – Windwood
Subdivision Latecomer's
Agreement

Correspondence was read from Eric C. Evans, Centex Homes, 2320 - 130th Ave. NE, Suite #200, Bellevue, 98005, requesting creation of a latecomer's agreement so adjacent properties will be required to share in the cost of extending a 24-inch sanitary sewer in SE 128th St., which Centex Homes is installing for the Windwood Subdivision at the requirement of the City. MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL REFER THIS MATTER TO THE UTILITIES COMMITTEE. CARRIED.

OLD BUSINESS**Finance Committee**

Finance: Issaquah School
District Impact Fees

Finance Committee Chair Edwards presented a report recommending that Council concur in the Administration's recommendation to impose school impact fees on new single-family residential development in the Renton portion of the Issaquah School District, and more specifically, that:

1. The City adopt an ordinance to collect a school impact fee on behalf of the Issaquah School District of \$2,797 for all new single-family dwelling units built within those portions of the District within Renton's municipal boundaries;
2. The City enter into an interlocal agreement with the Issaquah School District regarding collection of this fee; and
3. This school impact fee be reviewed in two years to consider whether to adjust it.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT.*

Councilman Corman emphasized that the committee exhaustively considered and debated this issue. Saying that he was swayed by the arguments of the Issaquah School District and interested citizens, he noted, however, that this will be by far the largest single fee imposed by Renton and roughly equal to all its other impact fees, taken together. Suggesting that the school district may have failed to adequately plan for new growth in previous years, he pointed out that the impact fee charged to Stonegate homeowners was much less than what is being proposed now. He concluded that the fee recommended by the Finance Committee is close to the figure originally proposed to Renton by the school district; the new \$6,100 fee represents a substantial increase over the initial proposal.

Councilman Edwards added that in deliberating this issue, the committee investigated the history of the Issaquah School District's growth and impact fees. Although a majority of the school district's growth has been in the area of the Sammamish Plateau, impact fees in that area were less than \$2,000 until the past year. It would not be fair, then, to impose a much greater impact fee on new construction in eastern Renton when the reason that many of the schools are reaching capacity or are already overcrowded is because of growth in a completely different area.

Referring to citizen testimony earlier this evening, Councilman Clawson interpreted the residents to say that they would not mind paying a \$6,100 impact fee for schools. Saying that housing prices are not affected so much by school mitigation fees as by speculation and greed, he felt that the market should be left free to decide whether or not people want to buy a house with a \$6,100 school impact fee.

***Saying he needed more time to consider this issue, it was MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL POSTPONE ACTION ON THIS MATTER FOR ONE WEEK. CARRIED.**

Finance: Vouchers

Finance Committee Chair Edwards presented a report recommending approval of Payroll Vouchers 165982 - 166265, and 528 direct deposits in the total amount of \$1,327,924.95 (April 20, 1999). **MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

**Planning & Development
Committee**

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the 1999 Comprehensive Plan amendments. On April 14, 1999, the

Comprehensive Plan: 1999
Amendments

Committee had a briefing on the 1999 Comprehensive Plan amendments and a proposed change in the Comprehensive Plan amendment and review process. The Committee recommended that the 1999 amendments be referred to the Planning Commission for review and recommendation back to the Committee. The proposed change in the Comprehensive Plan amendment cycle is retained in the Planning and Development Committee for further review. MOVED BY KEOLKER-WHEELER, SECONDED BY EDWARDS, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Solid Waste: Proposed WUTC
Rule-Making Change

Noting that on April 5th, Council had referred the matter of the proposed Washington Utilities & Transportation Committee's rule-making on solid waste issues to the Utilities Committee, Mr. Clawson said the City has since learned that this subject is not pertinent to Renton. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL THEREFORE REMOVE THIS MATTER FROM THE UTILITIES COMMITTEE'S REFERRAL LIST. CARRIED.

Public Safety Committee

Fire: Puget Sound Urban
Search & Rescue Task Force
(Renton Participation)

Public Safety Committee Chair Schlitzer presented a report recommending concurrence in the staff recommendation to approve the interlocal agreement with Pierce County and the Puget Sound Urban Search and Rescue Task Force. The Committee recommended that the Fire Chief be authorized to enter into a Memorandum of Agreement and Addendum. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY SCHLITZER, SECONDED BY EDWARDS, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 137 for resolution.)

Fire: Emergency Response
Mutual Aid Agreements

Public Safety Committee Chair Schlitzer presented a report recommending concurrence in the staff recommendation to approve interlocal agreements that outline the City's ability to coordinate resources and to maximize funding reimbursement during disasters and emergencies. The Committee recommended that the Fire Chief be authorized to enter into the Public Works Emergency Response Mutual Aid Agreements. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY SCHLITZER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 137 for resolution.)

Fire: Confined Space & Dive
Team Rescue Services, City of
Bellevue

Public Safety Committee Chair Schlitzer presented a report recommending concurrence in the staff recommendation to approve the interlocal agreement with Bellevue for confined space and emergency dive team services. The Committee recommended that the Fire Chief be authorized to enter into an agreement to provide mutual aid for confined space and emergency dive team services with the City of Bellevue. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY SCHLITZER, SECONDED BY EDWARDS, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 137 for resolution.)

Fire: Marine Rescue
Agreement, King County
Marine Patrol Division

Public Safety Committee Chair Schlitzer presented a report recommending concurrence in the staff recommendation to approve the interlocal agreement with King County Police Marine Patrol Division for the use of marine rescue equipment and personnel. The Committee recommended that the Fire Chief be authorized to enter into an Operational Statement of Understanding with the King County Police Department. The Committee further recommended that the

resolution regarding this matter be presented for reading and adoption. **MOVED BY SCHLITZER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 137 for resolution.)

**Parks: Limited Hydroplane
Races, Fee Reduction Request**

Council President Parker referred to a request received by the City from Al LaPointe, organizer of the limited hydroplane race event to be held at Gene Coulon Memorial Beach Park on April 24 and 25, 1999. Mr. Parker explained that Mr. LaPointe is concerned with the substantial increase in City fees over the amount he was charged last year for this same event. The largest fee appears to be related to the City's new requirement that a three-man fire engine company be on site at a cost of \$2,120. An emergency medical vehicle is also required, which the Fire Department will supply for \$1,320. Alternatively, the organizer could contract with a private ambulance company for this service.

Saying that Mr. LaPointe's request for a 50% reduction in the fees is reasonable, Mr. Parker suggested that the City approve this for the charges associated with the Fire Department only. Under his proposal, the charges associated with having police officers on site would remain the same.

Moved by Parker, seconded by Corman, Council approve the recommendation of the Administration to reduce, by 50%, Fire Department fees associated with City requirements for the limited hydroplane race event.*

Noting that this matter had been referred to the Community Services Committee, Councilmember Keolker-Wheeler objected to how it was now being taken up outside of the normal process. She explained that the committee met on this subject not once but twice, and was concerned that the City not subsidize the cost of the emergency services that the event organizers are required to provide for their insurance company as well as for the safety of the participants and spectators.

Councilmember Nelson added that when the committee met with Mr. LaPointe, it was suggested that he investigate various alternatives for supplying the necessary crowd control and emergency services himself rather than contracting with the City. Mrs. Keolker-Wheeler gave a detail of these suggestions, noting that the full cost of City contracted services for both days would be \$4,654.

Councilman Schlitzer emphasized that the permit for this event has already been issued, and the race will be held as planned. He therefore felt that Council action was not necessary this evening. Mr. Schlitzer added that even though this is a non-profit event, many such others are held in Renton every year and the City is not expected nor asked to subsidize their expenses.

Mayor Tanner explained that the recommendation to reduce the fees was based on the fact that the City was not timely in notifying Mr. LaPointe of the increased costs for the event this year. He did not object if Council wanted to require full recovery of all costs.

*With the concurrence of Mr. Corman as seconder, Mr. Parker withdrew his earlier motion on this subject.

MOVED BY NELSON, SECONDED BY KEOLKER-WHEELER, THE LIMITED HYDROPLANE RACE BE CHARGED THE FULL COST OF ANY CONTRACTED CITY SERVICE, WITH THE UNDERSTANDING THAT THE ORGANIZER CAN REQUEST REIMBURSEMENT LATER IF

THE EMERGENCY SERVICES OR CROWD CONTROL SERVICES ARE REDUCED. CARRIED.

ORDINANCES AND RESOLUTIONS

The following resolutions was presented for reading and adoption:

Resolution #3386

Fire: Confined Space & Dive Team Rescue Services, City of Bellevue

A resolution was read authorizing the Fire Chief to enter into an agreement to provide mutual aid for confined space and emergency dive team services between the City of Bellevue and the City of Renton for confined space rescue and emergency dive team capabilities. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3387

Fire: Marine Rescue Agreement, King County Marine Patrol Division

A resolution was read authorizing the Fire Chief to enter into an operational statement of understanding between the King County Police Department and the Renton Fire Department concerning the use of marine rescue equipment and personnel. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3388

Fire: Puget Sound Urban Search & Rescue Task Force (Renton Participation)

A resolution was read authorizing the Fire Chief to enter into a memorandum of agreement between Pierce County, the City of Renton and the Puget Sound Urban Search & Rescue Task Force. MOVED BY SCHLITZER, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3389

Fire: Emergency Response Mutual Aid Agreements

A resolution was read authorizing the Fire Chief to enter into interlocal agreements entitled "Public Works Emergency Response Mutual Aid Agreement." MOVED BY SCHLITZER, SECONDED BY EDWARDS, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 4/26/99 for second and final reading:

Police: Air Gun Exception re: Migratory Bird Control

An ordinance was read amending Section 6-2-3 of Chapter 2, Air Guns, of Title VI (Police Regulations) of City Code by adding an exception relating to the control of migratory birds. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 4/26/99. CARRIED.

Prior to second and final reading on this ordinance next week, Councilmember Keolker-Wheeler wanted information on whether the use of air guns will impact any other birds besides the Canada geese.

Rezone: Pierre Grady Way Site from CO to IM, R-98-126

An ordinance was read changing the zoning classification of approximately 2.74 acres located at SW Grady Way between Oakesdale and Powell Avenues SW from Commercial Office (CO) to Medium Industrial (IM); Pierre rezone, R-98-126. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 4/26/99. CARRIED.

The following ordinance was presented for second and final reading:

Ordinance #4777

Zoning: Centers Residential Demonstration Overlay District

An ordinance was read amending Title IV, Development Regulations, of City Code by creating a Centers Residential Demonstration Overlay District within the Center Suburban (CS) and Center Neighborhood (CN) zones, establishing a modification process within the District, and amending residential use provisions in the Commercial Arterial (CA) zone. MOVED BY KEOLKER-WHEELER,

SECONDED BY CLAWSON, COUNCIL ADOPT THE ORDINANCE AS
READ. ROLL CALL: ALL AYES. CARRIED.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL
ADJOURN. CARRIED. Time: 9:07 p.m.

Recorder: Brenda Fritsvold

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold
April 19, 1999